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*Attorneys for Defendant
Apartment Management Consultants, LLC*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA *ex rel.*
PEGGY THORNTON, Realtor,

and

PEGGY THORNTON,

Plaintiff,

vs.

PORTOLA DEL SOL OPERATOR, LLC, a
foreign limited-liability company; TMIF II
PORTOLA, LLC, a foreign limited-liability
company; APARTMENT MANAGEMENT
CONSULTANTS, LLC, a foreign limited
liability company; and RENE
RICHARDSON, as AGENT of PORTOLA
DEL SOL OPERATOR, LLC,

Defendants.

Case No. 2:21-cv-01123-APG-BNW

**STIPULATION AND ORDER TO
EXTEND DEADLINE TO FILE
RESPONSE TO COMPLAINT**

(Fifth Request)

1 Plaintiff Peggy Thornton (“Plaintiff”) and Defendant Apartment Management Consultants,
 2 LLC (“Defendant” or “AMC”), by and through their undersigned counsel, for good cause shown,
 3 hereby stipulate and agree to extend AMC’s deadline to file its response to Plaintiff’s Complaint
 4 [ECF No. 1] from April 10, 2023, to **May 10, 2023**, to continue to facilitate the Parties’
 5 **settlement discussions:**

- 6 1. Plaintiff filed the Complaint on June 14, 2021 [ECF No. 1].
- 7 2. The Complaint was unsealed on December 9, 2022, upon the United States declining
 8 intervention [ECF No. 18].
- 9 3. AMC’s response to the Complaint was originally due on January 18, 2023.
- 10 4. The Parties had informally agreed to extend the deadline to respond to February 1,
 11 2023, prior to AMC retaining counsel.
- 12 5. Undersigned counsel, Snell & Wilmer L.L.P., was retained to represent AMC on or
 13 about January 26, 2023.
- 14 6. The Parties previously stipulated to extend the deadline for AMC to respond to the
 15 Complaint, resulting in the current April 10, 2023 deadline.
- 16 7. AMC initially needed more time to evaluate the complaint because it has not served
 17 as property manager for the apartment complex at issue for several years and needed to locate
 18 relevant documents. Plaintiff then generously provided AMC with the underlying contracts and
 19 leases at issue in this dispute, which AMC’s counsel has been analyzing to assess Plaintiff’s claims.
- 20 8. At the same time, undersigned counsel and their core litigation team were faced
 21 some personal obstacles that impeded their ability to work, including the post-partum
 22 hospitalization of a spouse and a school-age child currently suffering from COVID.
- 23 9. The Parties’ counsel subsequently requested an extension until April 10, 2023, to
 24 engage in an initial settlement discussion.
- 25 10. That process has been fruitful, and Plaintiff has made a settlement demand,
 26 including an iteration for a **global resolution of this matter**. To that end, AMC is in the process
 27 of evaluating the offer with its fellow defendants.
- 28

11. Plaintiff and AMC believe that a 30-day extension will provide sufficient time for all parties to determine whether they can agree on settlement terms.

12. This extension will also continue deferring the considerable attorneys' fees associated with AMC responding to the complaint and thus be conducive to settlement.

13. This extension request is sought in good faith and is not made for the purpose of delay.

THEREFORE, Plaintiff and AMC therefore request an extension for AMC to file its response to the Complaint until **May 10, 2023**.

Dated: April 7, 2023

Dated: April 7, 2023

NEVADA LEGAL SERVICES, INC.

SNELL & WILMER L.L.P.

By: /s/ Elizabeth S. Carmona

By: /s/ Kelly H. Dove

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*Attorneys for Defendant Apartment
Management Consultants, LLC*

ORDER

IT IS SO ORDERED

DATED: 3:27 pm, April 10, 2023



BRENDA WEKSLER

UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

I, the undersigned, declare under penalty of perjury, that I am over the age of eighteen (18) years, and I am not a party to, nor interested in, this action. On this date, I caused to be served a true and correct copy of the foregoing **STIPULATION AND ORDER TO EXTEND DEADLINE TO FILE RESPONSE TO COMPLAINT** by method indicated below:

- ☐ **BY FAX:** by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m. pursuant to EDCR Rule 7.26(a). A printed transmission record is attached to the file copy of this document(s).
- ☐ **BY U.S. MAIL:** by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Las Vegas, Nevada addressed as set forth below.
- ☐ **BY OVERNIGHT MAIL:** by causing document(s) to be picked up by an overnight delivery service company for delivery to the addressee(s) on the next business day.
- ☐ **BY PERSONAL DELIVERY:** by causing personal delivery by, a messenger service with which this firm maintains an account, of the document(s) listed above to the person(s) at the address(es) set forth below.
- ☒ **BY ELECTRONIC SUBMISSION:** submitted to the above-entitled Court for electronic filing and service upon the Court's Service List for the above-referenced case.
- ☐ **BY EMAIL:** by emailing a PDF of the document listed above to the email addresses of the individual(s) listed below.

DATED April 7, 2023

/s/ Debbie Shuta

An employee of SNELL & WILMER L.L.P.

876-7253-3596